

ENROLLED HOUSE
BILL NO. 2333

By: McDaniel (Randy) and Cox of
the House

and

Newberry of the Senate

An Act relating to lotteries; amending Section 4, Chapter 336, O.S.L. 2007 (3A O.S. Supp. 2009, Section 724.3), which relates to withholding in excess of prize; providing for withholding and payment of delinquent debt from the Oklahoma Employment Security Commission; providing for promulgation of rules; requiring development of certain procedures; requiring certain report; providing for priority of delinquent debt withholding; providing for codification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 4, Chapter 336, O.S.L. 2007 (3A O.S. Supp. 2009, Section 724.3), is amended to read as follows:

Section 724.3. ~~In the event~~ A. The Oklahoma Lottery Commission shall withhold the amount of delinquent debt as established by the Oklahoma Employment Security Commission from the total withholdings from lottery prizes prize monies won by an individual pursuant to ~~required by~~ Section 724.1 710 of Title 3A of the Oklahoma Statutes and Section 3 of this act exceed the amount of the prize remaining after deduction of the required state and federal income tax withholdings, the amount withheld pursuant to Section 724.1 of Title 3A of the Oklahoma Statutes shall take precedence and any remaining prize amount, if any, shall be applied to the withholdings required pursuant to Section 3 of this act.

B. The Oklahoma Lottery Commission shall pay the monies withheld from the lottery prize, as provided in subsection A of this section, to the Oklahoma Employment Security Commission, not to exceed the amount of debt established by the Oklahoma Employment Security Commission.

C. The Oklahoma Employment Security Commission shall promulgate rules to define the debts that will be submitted to the Oklahoma Lottery Commission for withholding.

D. The Oklahoma Employment Security Commission shall develop procedures for timely notifying the Oklahoma Lottery Commission of the debts that should be processed for withholding. The information on debt withholding shall be reported to the Oklahoma Lottery Commission on a periodic basis and should include, but not be limited to:

1. Identification of the persons who have been determined to be delinquent in the repayment of debt established by the Oklahoma Employment Security Commission; and

2. The amounts of debt to be withheld by the Oklahoma Lottery Commission.

E. The Oklahoma Lottery Commission shall provide a report to the Oklahoma Employment Security Commission upon withholding that includes, but is not limited to, the following information:

1. Identification of the persons who have had monies withheld; and

2. The amount of monies that shall be paid to the Oklahoma Employment Security Commission to be applied to the established debt.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 724.4 of Title 3A, unless there is created a duplication in numbering, reads as follows:

If the total withholdings from lottery prizes required by Oklahoma law exceed the amount of the prize remaining after deduction of the required state and federal income tax withholdings, the withholdings shall be made in the following order:

1. Withholdings to the Department of Human Services pursuant to Section 724.1 of Title 3A of the Oklahoma Statutes;

2. Withholdings to the Oklahoma Tax Commission pursuant to Section 724.2 of Title 3A of the Oklahoma Statutes; and

3. Withholdings to the Oklahoma Employment Security Commission pursuant to Section 1 of this act.

SECTION 3. This act shall become effective July 1, 2010.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this resolution shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 3rd day of May, 2010.

Presiding Officer of the House
of Representatives

Passed the Senate the 14th day of April, 2010.

Presiding Officer of the Senate